

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 10, 2009 has been received and its contents carefully reviewed.

Claims 1, 7-10, and 12 are hereby amended. Claims 6 and 20 are hereby canceled without prejudice or disclaimer of the subject matter contained therein. No new matter has been added. Accordingly, claims 1-5 and 7-19 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

The Office rejects claims 10-12 under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention, specifically the antecedent basis for “the supporting rib” and the location of the supporting rib. *Office Action* at p. 2. The Applicant has amended independent claim 9 and dependent claims 10 and 12. Thus, the Applicant respectfully requests that the Office withdraw the rejection of claims 12 under 35 U.S.C. § 112, second paragraph.

The Office rejects claims 1-20 under 35 U.S.C. § 102(b) as being anticipated by Korean Publication No. 10-2004-0023108 to ‘108 et al. (hereinafter “‘108”). *Office Action* at p. 2. Claims 6 and 20 are canceled herein, accordingly the rejections of those claims are moot. Applicant respectfully traverses the rejection of the remaining claims.

Independent claim 1 is allowable in that it recites, among other features, “a holder body formed with a predetermined curvature and provided with at least one hook being protruded from an outer circumference of the holder body outwardly; and an interference preventing rib including a first portion extending from an inner circumference of the holder body toward a center and a second portion extending from the first portion rearward; and a drain hose penetration hole formed at an inner side of the second portion, the drain hose penetration hole receiving a drain hose.” (Emphasis added).

Independent claim 9 is allowable in that it recites, among other features, “at least one supporting rib elevated from the holder body and extending rearward, the supporting rib contacting an inner surface of the wall to prevent the fixing holder from being removed from the base.” (Emphasis added).

'108 fails to describe, either expressly or inherently, at least these features of the claimed invention.

A close look at FIG. 5 of '108 discloses a drain hose that is close to the lower surface of the holder body which then adheres closely to the hook 342a. '108 at FIG. 5. Thus, when the fixing assembly is coupled to the base the drain hose 324 can be damaged by the deformed hook 342a. '108 at FIG. 5. Hence, the hook 342a is not spaced apart from the drain hose 324. '108 at FIG. 5. Therefore, '108 does not disclose, at least, “a holder body formed with... hook being protruded from an outer circumference of the holder body...a first portion extending from an inner circumference of the holder body toward a center and a second portion extending from the first portion rearward; and a drain hose penetration hole formed at an inner side of the second portion,” as recited in claim 1. (Emphasis added).

Additionally '108 merely discloses that flange 344a is inserted into a coupling hole 304. '108 at FIG. 5. Thus, flange 344a is not even close to the inner surface of the rear wall 306. '108 at FIG. 5. Therefore, '108 does not disclose, at least, “one supporting rib elevated from the holder body and extending rearward, the supporting rib contacting an inner surface of the wall to prevent the fixing holder from being removed from the base,” as recited in claim 9. (Emphasis added).

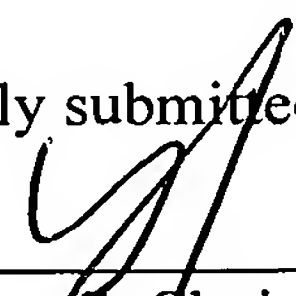
Accordingly, Applicant respectfully submits that independent claims 1 and 9 are patentably distinguishable over '108. It stands to reason that claims 2-5, 7-8, and 10-19, which variously depend from claims 1 and 9, are also patentable distinguishable for at least the same reasons. Thus, Applicant respectfully requests the Office to withdraw the rejection of claims 1-20 under 35 U.S.C. § 102(b).

CONCLUSION

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,



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